

### **Amendments to the Drawings**

The attached drawing sheet includes changes to Figure 4. This sheet replaces the original sheet that shows Figure 4. In the replacement sheet for Figure 4, elements 47 and 49 indicating visible portions of first and second fasteners 36 and 38 have been added.

Attachment: Replacement Sheet

### REMARKS/ARGUMENTS

The present Amendment amends claims 1, 2, 7, 12, and 14, and adds new claims 16 and 17. Upon entry of this Amendment, claims 1-17 will be pending, of which claims 1, 12, 14 and 16 are in independent form. Applicant submits that additional claims fees of \$200 are necessary for entry of this Amendment. The undersigned hereby authorizes payment of this \$200 fee and any additional fees necessary to enter this amendment to be charged to our deposit account, Deposit Account No. 061910.

In the Office Action, Examiner rejects claims 1-14 under 35 U.S.C. 103(a) as being unpatentable over JA 3-213,483 (JA '483) in view of Giard (U.S. Patent No. 6,058,800). Examiner asserts the JA '483 reference shows a motorcycle with a frame having a head tube 2, a steering fork 13, and lower and upper triple clamps 14, 15 fastened to the head tube. Additionally, with respect to JA '483, Examiner states that handlebar clamps include riser tubes 17, 19, 22 each having a lower surface operatively coupled to the upper triple clamp 14 and an upper surface (top of 19) coupled to a riser cap 20, and a handlebar 18 is held in first and second recesses formed in the risers and caps. Further, with respect to JA '483, Examiner suggests that fasteners 21 couple the riser tubes and riser caps, where each fastener 21 is a threaded bolt that extends through the cap into a boss in the corresponding rider tube and where the fasteners are shown to be accessible from the top rather than the bottom of the handlebar clamp. Examiner asserts the Giard reference shows a handlebar clamp including a fastener (a threaded bolt 49) that extends through an aperture in a lower clamp element 44 into a boss 55 in an upper clamp element 43 to hold a handlebar 23 there between, where the fastener is only accessible and visible from below.

Examiner states that it would have been obvious to one of ordinary skill in the art to provide the JA '684 handlebar clamp (here, applicants assume Examiner meant to reference JA '483) with the bolts extending from below, as taught by Giard, in order to improve the appearance of the handlebar assembly. Further, with respect to the method of claims 15 and 16, Examiner suggests that it would have been obvious to replace the top access handlebar clamp with a second, bottom access clamp, in view of Giard, in order to provide a smoother, more attractive appearing handlebar clamping assembly.

In light of the amendments above and the remarks that follow, Applicant respectfully disagrees and requests reconsideration. In particular, Applicant submits that a combination of JA

‘483 and Giard, as suggested by the Examiner, would not result in the claimed invention of claims 1-15. More specifically, Giard clearly teaches away from a motorcycle that uses two fasteners to couple together a riser tube and riser cap where the fasteners are visible only from an underside of the riser tube.

In contrast to the claimed motorcycle, Giard teaches a clamping means for attaching a *bicycle* handlebar 23 to a *bicycle* stem 27 (col. 3, lines 61-62). The clamping means includes an arcuate-shaped end portion 43 of the stem and an arcuate-shaped cover member 44 (col. 3, lines 62-65). The end portion 43 and cover member 44 form an opening 47 having a diameter corresponding generally to the outer circumference of the generally horizontally oriented tubular portion of the handlebar 23 (col. 3, line 66 – col. 4, line 4). The end portion 43 and cover member 44 are adjustably held by a *single* fastener 49 (col. 4, lines 4-6). That is, in contrast to the claimed invention, Giard teaches the use of single fastener. The loading on mechanisms employed to operatively couple the handlebars to the forks and wheels of the two vehicles is quite different as can be appreciated by those skilled in the art.

Not only does Giard teach the use of a single fastener, in contrast to the claimed invention, Giard specifically teaches away from using multiple fasteners as required in independent claims 1, 12, and 14 and claims depending therefrom. Giard states that it “provides a clamping mechanism which requires the use of only a single fastener, which is of course quicker and easier to both assemble and adjust than the multiple fasteners required on the Kalloy stem and similar designs” (col. 2, lines 29-33). Further, Giard states that the “primary advantage of this arrangement is that the handlebar 23 can be assembled and also easily adjusted by simply tightening only a single fastener” (col. 4, lines 34-37).

Multiple fasteners are employed on a motorcycle due to the high shear stress forces on the fasteners during routine turning of the handlebar. These high forces are attributed to the significant weight of the apparatuses (e.g., fork tubes, wheel, etc.) operatively coupled to the handlebar via the fasteners as well as the ground forces acting in opposition as the motorcycle is ridden at high speeds. In contrast, the corresponding forces in bicycle applications are much less due to lower weight of the apparatus and lower riding speeds.

Accordingly, a combination of JA ‘483 and Giard, as suggested by the Examiner would not produce a motorcycle that uses two fasteners to couple together a riser tube and riser cap where the fasteners are visible only from an underside of the riser tube. Giard teaches away from

the use of multiple fasteners. One skilled in the art would not have gathered any suggestion or motivation to combine the references in order to produce the claimed invention.

Moreover, Applicant notes that, per MPEP 2143.02, the prior art can be modified or combined to reject claims as *prima facie* obvious as long as there is a reasonable expectation of success. Applicant submits that one skilled in the art would be unlikely to expect success in solving the problem by combining the JA '483 and Giard references because of the limited space between the upper triple clamp 14 and the handlebar clamp 17 provided in JA '483. Specifically, with respect to JA '483, if the fasteners 21 did extend from the bottom of the handlebar clamp 17, subsequent loosening of the fasteners 21 would generally result in the fasteners 21 contacting the triple clamp 14 before being free of the clamp 17. While JA '483 teaches the extension of a support shaft 22 to extend the distance between the triple clamp 14 and the clamp 17, applicants contend that the fasteners 21, even if extended to a maximum distance, would still contact the triple clamp 14, thereby still holding the clamp 17 together.

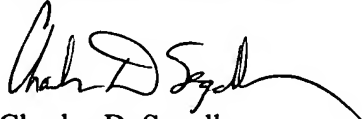
Therefore, applicants disagree with Examiner that a *prima facie* case of obviousness has been established with the JA '483 and Giard references.

Applicants have also amended the specification to fully elaborate on the figures of the application. As mentioned in the specification (page 8, lines 9-10), Figure 4 illustrates a side elevation view of an assembly of one riser tube 22 and one riser cap 28 in accordance with an embodiment of the invention. As shown, the first and second fasteners 36 and 38 are respectively inserted through the first and second bores 32 and 34 of the riser tube 22. As also, shown, each of the fasteners 36, 38 have portions visible only from an underside of the riser tube, where the visible portions of the fasteners 36, 38 are recessed within the bores 32, 34. As further shown, the visible portions of the fasteners 36, 38 are at least partially aligned with the underside of the riser tube 22. Applicants have amended Figure 4 to specifically reference the visible portions as 47 and 49. Applicants believe that these amendments are fully supported by the drawings and application as a whole.

With respect to new claim 16, Applicant submits that there is no teaching in JA '483 or Giard that visible portions of the fasteners are recessed within the bores. As such, applicants believe that claim 16 is patentable over JA '483 and Giard. In addition, claim 17 is dependent from claim 16, and as such, is believed by applicants to also be patentable over JA '483 and Giard.

In light of the above, Applicants submit that the present rejections of claims 1-15 should be withdrawn. If the Examiner feels that prosecution of the present application can be materially advanced by a telephonic interview, the undersigned would welcome a call at the number listed below.

Respectfully submitted,



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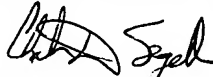
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